

REMARKS

In the Office Action, dated April 19, 2004, the Examiner states that Claims 1, 2, 4-8 and 10-21 are pending and Claims 1, 2, 4-8 and 10-21 are rejected. By the present Amendment, Applicant amends the claims.

In the Office Action, the claims are objected to for various informalities that seem to be caused by an unclear fax transmission, or are the result of a typing error. For those informalities caused by a typing error, appropriate amendments have been made to overcome the objections. For those informalities which were due to the unclear fax transmission no amendment has been made since there is no error to correct. In the future, the office is invited to contact the undersigned attorney if any part of a response needs to be retransmitted due to a poor quality fax transmission.

In the Office Action, Claims 2 and 16 are rejected as indefinite because the claimed internal circumference is defined with respect to an unclaimed wheel, and this circumference would change with different wheels having different circumferences. The Applicant has reintroduced the limitation that the device is to be fitted on a vehicle wheel of predetermined size. The wheel itself is not a part of the claimed device. However, the dimensions of the device are dependent upon the wheel.

Claim 20 has been amended to delete the previous redundant language that the Applicant intended to delete is the previous amendment.

In the Office Action, Claims 1, 2, 6 and 7 are rejected under 35 U.S.C. §102(b) as being anticipated by Krueger (US 1,682,907). Claims 1, 2, 4 and 6-8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Krueger in view of Wellheim (US 1,910,416). Claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over Krueger in view of Wellheim and JP1-249503. Claims 5 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Krueger in view of Wellheim and DE 2355291. Claims 10-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Krueger in view of

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Wollheim and at least one of Riggs (US 5,439,727), Peterson (US 5,335,776) and DE 2355291. Claim 20 is rejected under 35 U.S.C. §103(a) as being unpatentable over Krueger in view of Wollheim, Asano (WO 86/00579) and Bowler (US 3,007,50). The Applicant respectfully considers each of these rejections overcome by the amended claims.

Previous Claim 1 indicated that the outer side portion prevents the entire device from passing over to the inner side surface of the wheel. The Office Action considers that this feature does not overcome the rejections since Krueger discloses an elastic member on both the inner and outer side portions, and those elastic members are intended to prevent the passing or shifting of that device off the wheel, despite the arguable effectiveness of that arrangement while driving.

The elastic member on the outer side portion of Krueger does however provide the ability to pass the wheel through the outer side portion of the device. The configuration of the outer side portion of the device in the present application is such that there is no possibility for the wheel to pass there-through, whether or not an elastic member is used. To clarify this difference the Applicant has amended Claim 1 to indicate that the outer side portion is shaped and configured so that the wheel cannot pass therethrough.

The Applicants arguments in the previous amendment still apply with respect to the other cited references.

The Applicant has also added Claim 22 which includes the limitation that the inner extending length of the outer side portion is at least 17% of the largest internal diameter of the belt. While this limitation has not been specifically recited in the specification, this limitation could be easily calculated by a person skilled in the art given the limitations of Claims 2 and 6. A copy of such a calculation is enclosed. Thus, the Applicant does not consider this limitation to add new matter since the limitation is inherent given the limitations in the original claims.

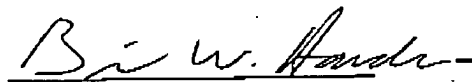
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In light of the foregoing response, all the outstanding objections and rejections have been overcome. Applicant respectfully submits that this application should now be in better condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

September 17, 2004

Date



Attorney for Applicant
Brian W. Hameder
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300
Reg. No. 45613

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